



# General Assembly

Distr.: Limited  
28 October 2021

Original: English

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## Seventy-sixth session

### Third Committee

Agenda item 74 (a)

#### **Promotion and protection of human rights: implementation of human rights instruments**

**Antigua and Barbuda, Armenia, Austria, Brazil, Costa Rica, Côte d'Ivoire,  
Denmark, Finland, Germany, Honduras, Iceland, Italy, Mexico, New Zealand,  
Norway, Portugal, Sweden and United States of America: draft resolution**

#### **Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: participation**

*The General Assembly,*

*Recalling* its resolution [74/144](#) of 18 December 2019 and its previous relevant resolutions, as well as relevant resolutions of the Human Rights Council and of the Economic and Social Council and its functional commissions,

*Recalling also* the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

*Reaffirming* the Universal Declaration of Human Rights,<sup>1</sup> the Convention on the Rights of Persons with Disabilities<sup>2</sup> and the Optional Protocol thereto,<sup>3</sup> the Convention on the Elimination of All Forms of Discrimination against Women,<sup>4</sup> the Convention on the Rights of the Child,<sup>5</sup> the International Convention on the Elimination of All Forms of Racial Discrimination<sup>6</sup> and all other relevant international human rights instruments,

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<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> United Nations, *Treaty Series*, vol. 2515, No. 44910.

<sup>3</sup> Ibid., vol. 2518, No. 44910.

<sup>4</sup> Ibid., vol. 1249, No. 20378.

<sup>5</sup> Ibid., vol. 1577, No. 27531.

<sup>6</sup> Ibid., vol. 660, No. 9464.



*Recalling* the Vienna Declaration and Programme of Action,<sup>7</sup> the Sendai Framework for Disaster Risk Reduction 2015–2030<sup>8</sup> and the New Urban Agenda,<sup>9</sup>

*Reaffirming* the 2030 Agenda for Sustainable Development,<sup>10</sup> in its entirety, which is inclusive of persons with disabilities and in which Member States pledged to leave no one behind, recognizing that the contributions of persons with disabilities are important to its full and effective implementation, and acknowledging that Member States, while implementing the 2030 Agenda, should, inter alia, respect, protect and promote human rights and fundamental freedoms for all, without discrimination of any kind,

*Welcoming* the fact that, since the opening for signature of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto on 30 March 2007, 164 States and 1 regional integration organization have signed and 184 States and 1 regional integration organization have ratified or acceded to the Convention and 94 States have signed and 100 States have ratified the Optional Protocol,

*Noting with appreciation* the work and activities that have been and continue to be undertaken in support of the Convention and towards the fulfilment and mainstreaming of the rights of all persons with disabilities, particularly through, inter alia, the Conference of States Parties to the Convention, the Under-Secretary-General and Senior Adviser on Policy, the Committee on the Rights of Persons with Disabilities, other human rights treaty bodies, the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities, the Special Envoy of the Secretary-General on Disability and Accessibility, the Inter-Agency Support Group on the Convention, the Inter-Agency Standing Committee Task Team on Inclusion of Persons with Disabilities in Humanitarian Action and the Reference Group on Inclusion of Persons with Disabilities in Humanitarian Action,

*Noting* the need for Member States, the United Nations system and other stakeholders to further strengthen the normative framework on disability, including the rights of persons with disabilities, in line with the pledge of leaving no one behind contained in the 2030 Agenda for Sustainable Development, and to consider disability as a global issue, cutting across the pillars of the United Nations,

*Welcoming* progress towards mainstreaming disability inclusion, including the rights of persons with disabilities, in the work of the United Nations, and the implementation of the United Nations Disability Inclusion Strategy and the leadership of the Secretary-General to bring about transformative and systematic change on disability inclusion across the United Nations system,

*Welcoming also* the contributions of the Steering Committee on Accessibility to improving the accessibility of United Nations premises, conferences and meetings, and information and communications, and notes other disability-related initiatives such as the Global Disability Summit,

*Welcoming further* the observance of international disability-related days, including “World Autism Awareness Day”, as well as the observance of World Down Syndrome Day,

*Recalling* that persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others, including in relation to their access to the physical

<sup>7</sup> A/CONF.157/24 (Part I), chap. III.

<sup>8</sup> Resolution 69/283, annex II.

<sup>9</sup> Resolution 71/256, annex.

<sup>10</sup> Resolution 70/1.

environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, in both urban and rural areas,

*Recognizing* that the coronavirus disease (COVID-19) pandemic is one of the greatest global challenges in the history of the United Nations, and noting with deep concern its impact on health and the loss of life, mental health and well-being, in particular on persons with disabilities, as well as the negative impact on global humanitarian needs, in particular in conflict-affected contexts, the enjoyment of human rights and across all spheres of society, including on livelihoods, food security and nutrition, and education, the exacerbation of poverty and hunger, disruption to economies, trade, societies and environments, and the exacerbation of economic and social inequalities within and among countries, which is reversing hard-won development gains and hampering progress towards achieving the 2030 Agenda for Sustainable Development and all its Goals and targets,

*Recognizing also* the importance of international cooperation and effective multilateralism in helping to ensure that all States have in place effective national protective measures, access to and flow of vital medical supplies, medicines and vaccines, in order to minimize negative effects in all affected States and to avoid relapses of the pandemic,

*Expressing concern* that women and girls with disabilities are subject to multiple and intersecting forms of discrimination, which limit their enjoyment of all human rights and fundamental freedoms on an equal basis with others, and recognizing that the realization of gender equality and the empowerment of all women and girls is crucial to making progress across all the Sustainable Development Goals and targets and the implementation of the Convention,

*Reaffirming* that the full, equal and meaningful participation and inclusion of persons with disabilities in society is one of the core and fundamental principles of the Convention,

*Recognizing* that persons with disabilities and their representative organizations should be consulted closely and be actively involved in decision-making processes and in the development and implementation of legislation and policies and programmes, especially those concerning them directly,

*Emphasizing* that accessibility is a precondition for persons with disabilities to live independently, participate fully, equally and meaningfully in all aspects of life, including in political and decision-making processes, and fully enjoy all their human rights and fundamental freedoms on an equal basis with others, and recognizing the importance of accessibility measures, including through the use of universal design and assistive technologies, as a means of investing in society as a whole and as an integral part of the 2030 Agenda,

*Recognizing* the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support to attain and maintain maximum independence, full physical, mental, social and vocational abilities and full inclusion and participation in all aspects of life,

*Recognizing also* that persons with disabilities are often disproportionately affected in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters and in their aftermath, and that they may require specific protection and safety measures, recognizing further the need to support further participation and inclusion of persons with disabilities in the development of measures and decision-making processes relating thereto, in order to ensure disability-inclusive risk reduction and humanitarian action, and recognizing

the special coping mechanisms developed by persons with disabilities to withstand the effects of conflict and natural disasters,

*Deeply concerned* about the prevalence of protracted conflicts that enhance the overall impacts on persons with disabilities, owing to the degradation and collapse of essential and support systems and services, creating new barriers on top of already existing ones, and concerned that the effects of armed conflicts fall heavily on persons with disabilities, in particular those who are living in, or attempting to flee from, conflict zones, and that they face numerous threats to their physical and mental health and well-being, as well as exposure to violence, abuse and exploitation, including gender-based violence,

*Recognizing* the need for States to accelerate the development, implementation and mainstreaming of strategies that respect, protect and fulfil the rights of all persons with disabilities, including women and girls, to the enjoyment of civil, political, economic, cultural and social rights, without discrimination, by adopting legislation, policies and programmes that are inclusive of and accessible to all persons with disabilities, including those who face situations of multiple and intersecting forms of vulnerabilities, and affirming that realizing their human rights requires their full, equal and meaningful participation and inclusion in all aspects of public, political, economic, cultural, social and family life, on an equal basis with all others,

*Recognizing also* that voting restrictions and other barriers prevent the full political participation of persons with disabilities on an equal basis with others, and recognizing further that these barriers are amplified for those facing multiple and intersecting forms of discrimination, such as women, ethnic and religious minorities and indigenous persons with disabilities,

*Recognizing further* that social, economic and accessibility barriers remain, including discrimination, poverty, unemployment and underemployment, educational inequality contribute to a persistent digital divide, preventing persons with disabilities from fully participating in society on an equal basis with others,

*Recognizing* that information and communications technologies, including assistive technology and devices, have shown their potential to strengthen the exercise of human rights, and that they can create conditions enabling persons with disabilities to fully enjoy their human rights and can contribute to their social inclusion and empowerment and allow them to live independently in the community on an equal basis with others and to fully, effectively and meaningfully participate in society and in the workplace,

*Emphasizing* the right to privacy and the respect for data-protection regulations and standards in all uses of information and communications technologies and systems,

*Welcoming* the positive role of civil society in the promotion and implementation of accessibility for persons with disabilities, and stressing the importance of closely consulting and actively involving persons with disabilities, including women and girls, through their representative organizations, in the development and implementation of legislation and policies that affect their lives and in other decision-making processes concerning issues relating to persons with disabilities, thereby minimizing the risk of creating barriers to accessibility for all persons with disabilities,

*Stressing* the need for capacity-development efforts aimed at empowering persons with disabilities and their representative organizations to ensure equal access to quality education, full and productive employment and decent work on an equal basis and without discrimination to persons with disabilities, including by promoting access to inclusive education systems, skills development, volunteering opportunities

and vocational and entrepreneurial training in order to enable persons with disabilities to attain and maintain maximum independence,

*Acknowledging* the importance of taking measures to raise awareness of the rights of persons with disabilities in order to eliminate discrimination, stereotypes, prejudices and other barriers which constitute a major impediment to their full, equal and effective participation in society and the economy, as well as in political and public life,

*Concerned* that the active involvement of persons with disabilities and their representative organizations in policymaking for national implementation has fallen short, and that women with disabilities in political leadership roles remains extremely low,

*Concerned also* that the continuing lack of reliable statistics, data and information on the situation of persons with disabilities at the national, regional and global levels, including data on the participation of persons with disabilities in decision-making processes, remains limited and contributes to their exclusion in official statistics, policies and programmes, and in this regard recognizing the need to intensify efforts to build the capacity of Member States, and to strengthen, at the national level, data collection, analysis and use of data disaggregated by disability, sex and age for specific indicators, using appropriate measurement tools, including, as appropriate, the United Nations Children's Fund Module on Child Functioning and the Washington Group short set of questions on disability and other data-collection methodologies, to support the development of evidence-based policies and programmes that are accessible to and inclusive of persons with disabilities, including women and girls, on an equal basis with others,

1. *Calls upon* those States that have not yet done so to consider signing and ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto as a matter of priority;

2. *Encourages* States that have ratified the Convention and submitted one or more reservations to it to review regularly the effect and continued relevance of such reservations and to consider the possibility of withdrawing them;

3. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue to strengthen efforts undertaken to disseminate accessible and easy-to-understand information on the Convention and the Optional Protocol thereto, including to children and young people to promote their understanding, and to assist States parties in implementing their obligations under those instruments;

4. *Takes note* of the report of the Secretary-General on participation and the status of the Convention and the Optional Protocol thereto,<sup>11</sup> and the report of the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities;<sup>12</sup>

5. *Also takes note* of the policy brief of the Secretary-General on disability-inclusive COVID-19 response and recovery, published in May 2020, in which States are encouraged to place persons with disabilities at the centre of the response, prohibiting any form of discrimination and taking into consideration disability, gender and age, and recommends, among other areas of action, that States ensure meaningful consultation with and active participation of persons with disabilities and their representative organizations in all stages of the COVID-19 response and recovery;

<sup>11</sup> [A/76/147](#).

<sup>12</sup> [A/76/146](#).

6. *Takes note with appreciation* of the Inter-Agency Standing Committee *Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action*, which set out essential actions that humanitarian actors must take in order to effectively identify and respond to the needs and rights of persons with disabilities in humanitarian settings by placing persons with disabilities at the centre of humanitarian action, both as actors and as members of affected populations;

7. *Calls upon* those States that have not yet done so to consider signing and ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled;

8. *Emphasizes* the importance of mainstreaming disability issues as an integral part of relevant sustainable development strategies, and encourages States to apply a human rights-based and gender-sensitive approach and to intensify their efforts to advance the rights of persons with disabilities in the implementation of the 2030 Agenda for Sustainable Development, consistent with their international obligations;

9. *Encourages* States to review and repeal any law or policy that restricts the full and effective participation in political and public life of persons with disabilities on an equal basis with others or discriminates against persons with disabilities, including with regard to accessing a service or facility open to the public, and to establish accessible and effective channels of redress for discrimination on the basis of disability;

10. *Urges* States to take steps to eliminate multiple and intersecting forms of discrimination against women and girls with disabilities through repealing discriminatory laws, policies and practices, to take all effective measures to remove any other barriers faced by women and girls with disabilities in accessing the physical, social, economic and cultural environment, transportation, health and education, information and communications, including information and communications technologies and systems, and other facilities and services open or provided to the public and to ensure the full and equal enjoyment of all rights stipulated in the Convention, including the right to effectively and fully participate in political and public life and in the conduct of public affairs;

11. *Calls upon* all States to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms, on an equal basis with other children, in recognition that discrimination against any child on the basis of a disability is a violation of the inherent dignity and worth of the child, to enhance inclusion and address barriers faced by children with disabilities, including addressing discriminatory, attitudinal and environmental barriers to their participation and inclusion in society and in the community, to develop gender-responsive and age-sensitive policies and capacities to ensure the rights and address the particular needs of children with disabilities, including children in vulnerable situations, including migrant children, children without parental care, children in street situations and child victims of trafficking, and those affected by climate change, and to prevent and respond to cases of gender-based violence;

12. *Encourages* States to adopt comprehensive strategies that address the context-specific barriers to the participation of persons with disabilities and their organizations at all levels of decision-making, including by changing laws and regulations that prevent persons with disabilities from serving in public office and adopting a comprehensive framework for equality, non-discrimination and the equal participation of persons with disabilities;

13. *Calls upon* States to ensure the full, equal and meaningful participation of and consultation with persons with disabilities, including through their representative

organizations, in the development and implementation of policies and programmes for the implementation of the Convention, as well as in other relevant issues at the national and local levels, including through integrating consultative processes as a mandatory step in such policies and programmes;

14. *Encourages* States to invest in and develop educational tools and programmes to support aspiring leaders, in particular women with disabilities, such as strengthening the capacities of persons with disabilities to apply for public office, and to ensure that the prerequisites to political participation are addressed, namely, poverty reduction, employment, education and information and communications technologies, and health services;

15. *Calls for* national COVID-19 vaccination plans to include persons with disabilities, in keeping with the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability;

16. *Calls upon* States to promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information, to provide information intended for the general public to persons with disabilities using accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost, and to expand the availability and improve the affordability of information and communications technologies;

17. *Also calls upon* States to ensure that persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement and that persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;

18. *Urges* States to consider laws, policies and procedures relating to public procurement to ensure that persons with disabilities can access any service or facility open to the public on an equal basis with others;

19. *Calls upon* States to facilitate an enabling environment for persons with disabilities in political and other processes, including through targeted awareness and outreach campaigns, partnerships with media institutions, accessible information and voting stations, accessible public offices and public recognition of the value of and the need for the participation and contributions to society of persons with disabilities;

20. *Also calls upon* States to ensure that polling stations, information on how to run for office and public buildings are accessible for persons with disabilities and ensure that alternative methods of voting are available to accommodate the various needs of voters with disabilities, including during lockdowns, quarantines and other measures in response to public health measures, and ensure that election officials are trained on accessible elections and that polling station officials are trained on accessibility;

21. *Encourages* States to disseminate information to and work with the private sector, including employers and other relevant stakeholders, to implement accessibility measures for any facilities or services that are open or provided to the public that take into account all aspects of accessibility for persons with disabilities;

22. *Urges* States to take all appropriate measures to eliminate discrimination against persons with disabilities, including women and girls, in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, and ensure that their specific needs are addressed, such as access to basic services, including health-care services, rehabilitation assistance,

psychosocial support and educational programmes, as well as transportation and information and communications technologies and systems on an equal basis with others;

23. *Urges* States, multilateral agencies and humanitarian organizations to ensure disability-inclusive programming in all aspects of humanitarian action, taking due account of the situation of persons with disabilities, with the active and meaningful participation and consultation of persons with disabilities and their representative organizations;

24. *Calls upon* States to strengthen efforts to empower all persons with disabilities and enhance their participation and promote their leadership in society through taking measures to address and remove all barriers that prevent or restrict their access and full inclusion and participation in the community on an equal basis with others, including in the government and public sector, the private sector, civil society and all branches and bodies of the national monitoring system of the Convention, and to work to ensure that persons with disabilities are closely consulted and actively involved, through their representative organizations, in the design, implementation and monitoring of all legislation, policies and programmes which have an impact on their lives;

25. *Encourages* States to provide support to existing organizations and promote the creation of organizations, including civil society organizations and networks of persons with disabilities, as appropriate, and to promote and support persons with disabilities in taking leadership roles in public decision-making bodies at all levels, recognizing the importance for States of having an open, inclusive and transparent engagement with civil society in the implementation of measures on persons with disabilities;

26. *Calls upon* States to systematically collect and analyse data disaggregated by income, gender, race, age, ethnicity, migratory status, disability and geographical location, and by other characteristics relevant to national contexts, on the participation of persons with disabilities and their representative organizations in decision-making at all levels, in public and private entities, including for appointed and elected positions, voter registration and voter turnout, to assist, inter alia, with the identification and eradication of barriers and all forms of discrimination, including multiple and intersecting forms of discrimination, that prevent persons with disabilities from enjoying all the rights stipulated in the Convention, to guide inclusive policy planning and to be used on an ongoing basis to assess and advance participation, and also calls upon States to improve data-collection systems for adequate monitoring and evaluation frameworks on the implementation of the Convention and the Sustainable Development Goals for all persons with disabilities;

27. *Urges* States and other relevant stakeholders, including national human rights institutions in compliance with the Paris Principles,<sup>13</sup> where they exist, to continue to support the inclusion of persons with disabilities in the implementation of the 2030 Agenda by, inter alia, supporting the disaggregation of data by disability, sex and age for specific indicators, using appropriate measurement tools, including, as appropriate, the United Nations Children's Fund Module on Child Functioning and the Washington Group short set of questions on disability and other data-collection methodologies, to assist States in measuring the achievement of the 17 Sustainable Development Goals and 169 associated targets and programming policies in the context of the Goals;

<sup>13</sup> Resolution 48/134, annex.



28. *Encourages* States, United Nations entities and relevant international organizations, inter alia:

(a) To ensure that international cooperation is gender-responsive and disability-inclusive, including through the implementation of disability markers to monitor the implementation of programmes and the collection of data and statistics on persons with disabilities in the implementation of the 2030 Agenda and the Sustainable Development Goals, targets and indicators, as well as other international frameworks;

(b) To support, promote and strengthen international cooperation and assistance, and enhance partnerships and coordination, including South-South cooperation, among themselves and with the active participation of persons with disabilities, through their representative organizations, as well as other relevant civil society organizations and stakeholders, in strengthening the means of implementation of the Convention and the 2030 Agenda, including through the mobilization of financial resources, technical cooperation and facilitation of access to and sharing of accessible and assistive technologies on mutually agreed terms;

29. *Encourages* the United Nations system, international financial and development institutions, and other international and regional organizations, to:

(a) Increase assistance to support Member States in substantially enhancing the participation of persons with disabilities and their organizations in decision-making, including through building capacity, including training to support persons with disabilities in participating in electoral processes, political activities and other leadership activities, and sharing experiences and best practices;

(b) Include persons with disabilities in the design of strategies, plans and programmes to fully implement the Convention and achieve the Sustainable Development Goals at all levels, and provide sustained, long-term support to national partners, including organizations of persons with disabilities, and civil society organizations, in their efforts to become more disability-inclusive and promote the participation of persons with disabilities and their organizations;

30. *Recalls* its decision on accessible seating for representatives with disabilities in resolution [73/341](#) of 12 September 2019 on the revitalization of the work of the General Assembly, and in this regard welcomes the note by the Department for General Assembly and Conference Management of the Secretariat implementing the decision;

31. *Invites* the Chair of the Committee on the Rights of Persons with Disabilities and the Special Rapporteur on the rights of persons with disabilities to address and engage in an interactive dialogue with the General Assembly annually, under the item entitled “Promotion and protection of human rights”, as a way to enhance communication between the Assembly and the Committee;

32. *Welcomes* the reports of the Secretary-General on the system-wide implementation of the United Nations Disability Inclusion Strategy, and calls upon the United Nations system, including its agencies, funds and programmes, within their respective mandates, to continue to work collaboratively to accelerate the full and effective mainstreaming of disability inclusion into the United Nations system, including by implementing and reporting on the United Nations Disability Inclusion Strategy across its programmes and operations;

33. *Requests* the Secretary-General to submit to the General Assembly at its seventy-seventh session a progress report on steps taken by the United Nations system towards mainstreaming disability inclusion, including implementation of the United Nations Disability Inclusion Strategy, within existing resources;

34. *Calls upon* Member States, the United Nations and other relevant stakeholders to take part in implementing the recommendations endorsed by the Steering Committee on Accessibility in June 2019;

35. *Requests* the Secretary-General to submit to the General Assembly at its seventy-eighth session a report on the rights of persons with disabilities with a focus on ensuring the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, including good practices and challenges in the implementation of the Convention in that regard, in consultation with persons with disabilities and their representative organizations, relevant United Nations agencies, including the Office of the United Nations High Commissioner for Human Rights, the Special Envoy of the Secretary-General on Disability and Accessibility, the Committee on the Rights of Persons with Disabilities and the United Nations Children's Fund, taking into account the views of relevant stakeholders and using existing available materials, and to include a segment on the status of the Convention and the Optional Protocol thereto;

36. *Also requests* the Secretary-General to continue to maintain the levels of resources required by the relevant offices in the United Nations system for the fulfilment of their tasks with respect to their work on the rights of and inclusive development for persons with disabilities.

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